

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
JACKSONVILLE DIVISION**

CARMEN HUNTER, an individual, and  
CARMEN HUNTER o/b/o Trucilla A.  
Galloway,

Plaintiff,

v.

Case No. 3:19-cv-1021-J-34JBT

ANDREW M. SAUL, Commissioner of the  
Social Security Administration,

Defendant.

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**ORDER**

**THIS CAUSE** is before the Court on the Report and Recommendation (Dkt. No. 39; Report) entered by the Honorable Joel B. Toomey, United States Magistrate Judge, on July 8, 2020. In the Report, Judge Toomey recommends that Defendant's Opposed Motion to Dismiss Plaintiff's Second Amended Complaint (Dkt. No. 21; Motion) be granted and that Plaintiff's Second Amended Complaint (Dkt. No. 20) be dismissed for lack of subject matter jurisdiction. See Report at 2, 14-15. To date, no objections to the Report have been filed, and the time for doing so has passed.

The Court "may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge." 28 U.S.C. § 636(b). If no specific objections to findings of facts are filed, the district court is not required to conduct a de novo review of those findings. See Garvey v. Vaughn, 993 F.2d 776, 779 n.9 (11th Cir. 1993); see also 28 U.S.C. § 636(b)(1). However, the district court must review legal conclusions de novo. See Cooper-Houston v. S. Ry. Co., 37 F.3d 603, 604 (11th Cir. 1994);

United States v. Rice, No. 2:07-mc-8-FtM-29SPC, 2007 WL 1428615, at \* 1 (M.D. Fla. May 14, 2007).

Upon independent review of the file and for the reasons stated in the Magistrate Judge's Report, the Court will accept and adopt the legal and factual conclusions recommended by the Magistrate Judge. Accordingly, it is hereby

**ORDERED:**

1. The Report and Recommendation (Dkt. No. 39) is **ADOPTED** as the opinion of the Court.
2. Defendant's Opposed Motion to Dismiss Plaintiff's Second Amended Complaint (Dkt. No. 21) is **GRANTED**.
3. This case is **DISMISSED** for lack of subject matter jurisdiction.
4. The Clerk of the Court is directed to terminate any deadlines and motions and close the file.

**DONE AND ORDERED** at Jacksonville, Florida, this 24th day of July, 2020.

  
MARCIA MORALES HOWARD  
United States District Judge

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Copies to:

Counsel of Record